



Town of Brookline

Massachusetts

PLANNING BOARD

Town Hall, 3rd Floor
333 Washington Street
Brookline, MA 02445-6899
(617) 730-2130 Fax (617) 730-2442

Linda Hamlin, Chairman
Steven Heikin, Clerk
Robert Cook
Blair Hines
Sergio Modigliani
Mathew Oudens
Mark J. Zarrillo

To: Brookline Board of Appeals
From: Brookline Planning Board
Date: January 8, 2016
Subject: Construct two-story addition to single-family home
Location: 118 York Terrace

Atlas Sheet:	20	Case #:	2015-0060
Block:	088	Zoning:	SC-7
Lot:	28-00	Lot Area (s.f.):	±6,785

Board of Appeals Hearing: January 28, 2016, at 7:05 p.m.

SITE AND NEIGHBORHOOD

118 York Terrace is a two-and-a-half-story, single-family, wood-frame dwelling on a triangular corner lot bounded by York and Lancaster Terrace. The neighborhood is residential, primarily made up of other similarly-sized single-family dwellings, with some larger two-family dwellings located along Lancaster Terrace. A detached two-car garage exists to the side of the dwelling and is accessed from York Terrace. The property's front entrance is also oriented toward York Terrace. A large deck, accessed from the dwelling's side, wraps around to the Lancaster Terrace elevation.

APPLICANT'S PROPOSAL

The applicants, Gerry and Johanna Dwyer, are proposing to add 165 s.f. to their home by constructing a two-story addition on the side where there is currently a single-story sunroom. The proposal would remove the sunroom and construct the addition on the same footprint, 9.9' by 17.8'. The addition would have a paneled exterior and a balustrade above. The applicants intend to construct a matching balustrade over the side entrance to the existing deck.

FINDINGS

Section 5.09.2.j – Design Review: Any exterior addition for which a special permit is requested pursuant to *Section 5.22 (Exceptions to Maximum Floor Area Ratio Regulations)* requires a special permit subject to the design review standards listed under *Section 5.09.4(a-l)*. All the conditions have been met, and the most relevant sections of the design review standards are described below:

- a. Preservation of Trees and Landscape – Since the addition is within the building’s existing footprint, no landscaping will be removed.

- c. Relation of Buildings to the Form of the Streetscape and Neighborhood – The addition will have a consistent appearance throughout and is attractively designed, and should look appropriate from the street.

Section 5.22.3.b.1.b – Exceptions to Maximum Floor Area Ratio

Floor Area	Allowed	Existing	Proposed	Finding
Floor Area Ratio (% of allowed)	.35 100%	.37 106%	.39 113%	Special Permit*
Floor Area (s.f.)	2,375 s.f.	2,516 s.f.	2,681	

* Under **Section 5.22.3.b.1.b**, the Board of Appeals may grant a special permit to allow an addition up to 120% of the maximum FAR requirement. This proposal is below that limit.

Section 5.50 – Front Yard Setback

Front Yard	Required	Existing	Proposed	Relief
York Terrace	20'	10.7'	10.7'	Special Permit*
Lancaster Terrace	20'	13.4'	13.4'	

* Under **Section 5.43**, the Board of Appeals may waive yard and setback requirements if a counterbalancing amenity is provided.

Section 8.02.2 – Alteration or Extension

A special permit is required to alter a pre-existing non-conforming structure or use.

PLANNING BOARD COMMENTS

The Planning Board is supportive of the proposal for a new addition. The addition does not expand upon the building’s footprint and is attractively designed. Appropriate landscaping at the front corner of the property should soften any impact on the streetscape.

Therefore, the Planning Board recommends approval of the plans by Sousa Design, dated 11/03/2015 and 11/16/2015, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final plans and corrected elevations subject to the review and approval of the Planning Board.

2. Prior to the issuance of a building permit, the applicant shall submit a final landscape

plan indicating all counterbalancing amenities subject to the review and approval of the Assistant Director of Regulatory Planning.

3. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final building elevations and floor plans stamped and signed by a registered architect; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

lkch



118 York Terrace



118 York Terrace as viewed from York Terrace (above) and Lancaster Terrace (below)



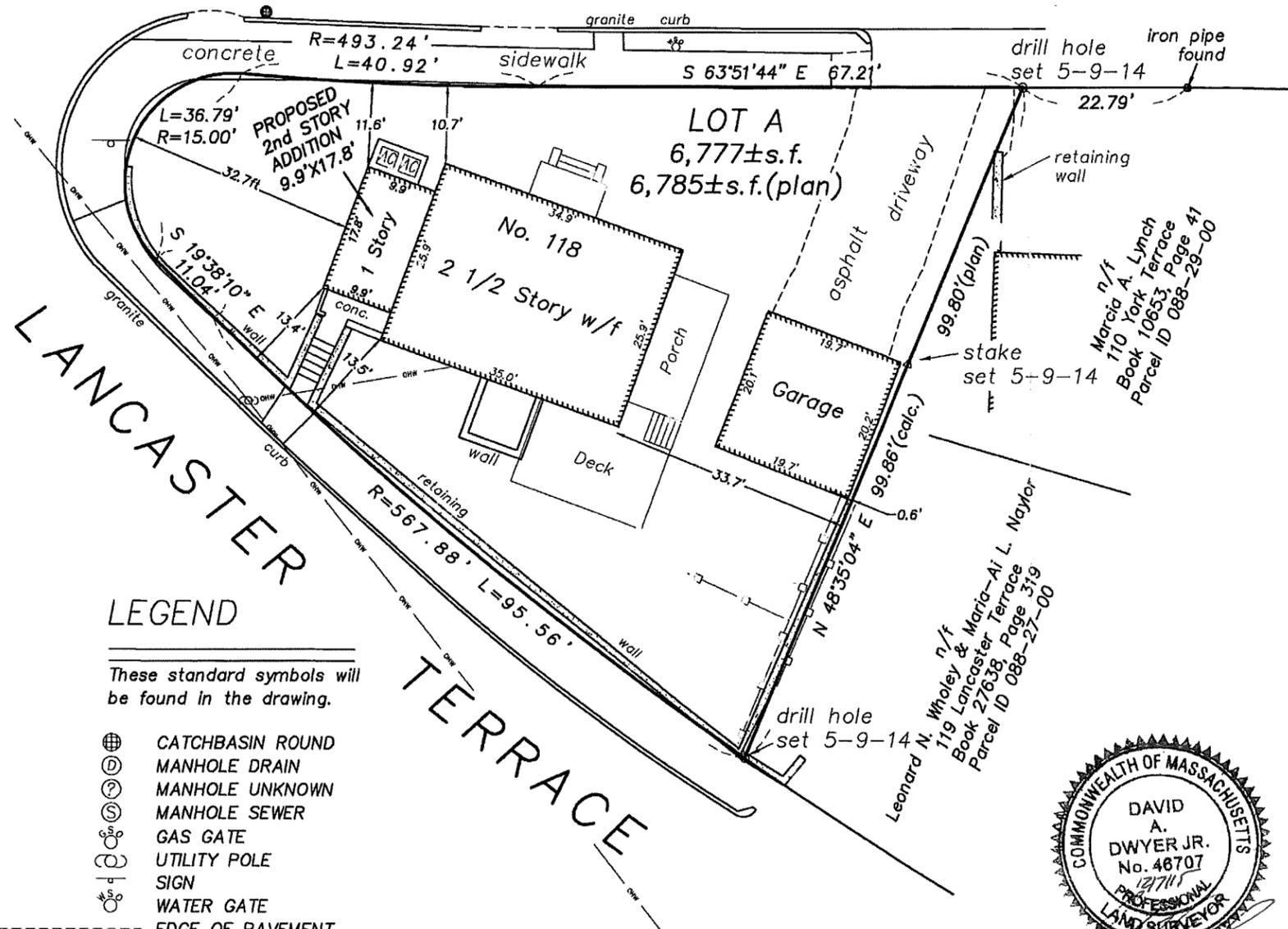
I HEREBY CERTIFY THAT THE STRUCTURES ARE LOCATED ON THE GROUND AS SHOWN ACCORDING TO AN ACTUAL FIELD SURVEY BY OTTE & DWYER, INC., LAND SURVEYORS ON APRIL 25, 2014 AND UPDATED ON DECEMBER 5, 2015.

12/7/15 *[Signature]*

PROFESSIONAL LAND SURVEYOR
FOR OTTE & DWYER, INC.



YORK TERRACE



LEGEND

These standard symbols will be found in the drawing.

- CATCHBASIN ROUND
- MANHOLE DRAIN
- MANHOLE UNKNOWN
- MANHOLE SEWER
- GAS GATE
- UTILITY POLE
- SIGN
- WATER GATE
- EDGE OF PAVEMENT
- FENCE
- OVERHEAD WIRES

GENERAL NOTES

OWNER OF RECORD: GERALD & JOHANNA DWYER
118 YORK TER. BROOKLINE MA 02446

DEED REFERENCE: BOOK 32233, PAGE 133
PLAN REFERENCE: BOOK 1598, PAGE 203
TAX MAP REFERENCE: PARCEL ID 088-28-00

ACCORDING TO THE F.E.M.A. MAP FOR NORFOLK COUNTY, MAP No. 25021C0034E, DATED JULY 17, 2012 THE PARCEL(S) FALLS IN AN AREA CLASSIFIED AS ZONE "X".

CURRENT DIMENSIONAL AND DENSITY REGULATIONS

ENTIRE SITE IS LOCATED IN A SC-7 ZONING DISTRICT

CRITERIA	REQUIRED	EXISTING
MINIMUM FRONT YARD (FT.)	20'	10.7'
MINIMUM SIDE YARD (FT.)	7.5'	33.7'
MINIMUM REAR YARD (FT.)	30'	N/A

THE ZONING INFORMATION DEPICTED HEREON IS FROM THE LATEST ZONING ORDINANCE OF THE MUNICIPALITY AND, AS SUCH, IS FOR REFERENCE PURPOSE ONLY. OTTE & DWYER, INC MAKES NO OPINION OR CERTIFICATION AS TO ZONING COMPLIANCE. THE FINAL INTERPRETATION OF THE ORDINANCE CAN ONLY BE MADE BY THE APPROPRIATE ZONING AUTHORITY. SINCE BUILDING ORIENTATION, PROPOSED USE, AND OTHER FACTORS CAN AFFECT THE SETBACKS, PRIOR TO ANY DEVELOPMENT OF THIS PROPERTY, THE BUILDER/OWNER MUST CONSULT WITH THE CITY/TOWN TO INSURE THE CORRECT APPLICATION OF THE ZONING ORDINANCE.

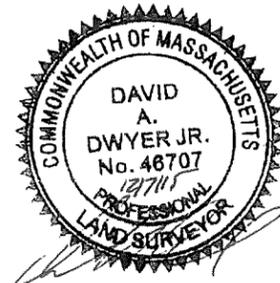
CERTIFIED PLOT PLAN SHOWING PROPOSED ADDITION 118 YORK TERRACE BROOKLINE, MASS. 02446

PREPARED FOR
GERRY DWYER
BY

OTTE & DWYER, INC., LAND SURVEYORS
WWW.OTTEDWYER.COM

59 APPLETON STREET
P.O. BOX 982
SCALE: 1"=20'

SAUGUS, MA 01906
(781)233-8155
DECEMBER 7, 2015



ZONING REVIEW

WORK TO BE COMPLETED IN ACCORDANCE TO:
 -MASS STATE BUILDING CODE (NINTH EDITION)
 -TOWN OF BROOKLINE ZONING ORDINANCES

ZONING DISTRICT: S-7

LOT SIZE MINIMUM 7,000 *6,785 EXISTING
 MAXIMUM FAR .35
 MINIMUM LOT WIDTH 65 FT
 HEIGHT MAXIMUM 35 FT
 FRONT YARD SETBACK 20 FT
 SIDE YARD SETBACK 7.5 FT
 REAR YARD SETBACK 30 FT

ALLOWABLE FLOOR AREA RATIO

0.35 X 6,785 SF ±
 = 2,375 SF ± LIVING AREA ALLOWABLE

EXISTING AREA

BASEMENT = UNFINISHED
 FIRST FLOOR = 1,032 SF
 SECOND FLOOR = 897 SF
 THIRD FLOOR = 617 SF
 TOTAL EXISTING = 2,516 SF
 EXISTING FAR = .37

PROPOSED AREA

BASEMENT = UNFINISHED
 FIRST FLOOR = 1,032 SF
 SECOND FLOOR = 1,032 SF (+165 SF ADDITION)
 THIRD FLOOR = 617 SF

TOTAL PROPOSED AREA = 2,681 SF
 (113% TOTAL ALLOWABLE AREA)
 TOTAL PROPOSED FAR = .39

PROPOSED ADDITION AREA

2ND FLOOR ADDITION = 165 SF
 (7% OF TOTAL ALLOWABLE AREA)

SECTION 5.22

EXCEPTIONS TO MAXIMUM FLOOR AREA RATIO REGULATIONS FOR RESIDENTIAL UNITS

3B. THE MAXIMUM INCREASE IN FLOOR AREA ALLOWED BY SPECIAL PERMIT MAY BE ALLOWED ONLY IN ACCORDANCE WITH THE FOLLOWING CONDITIONS, WHICH SHALL BE IN ADDITION TO THE OTHER CONDITIONS SET FORTH IN THIS SECTION, INCLUDING PARAGRAPH 1, AND ANY OTHER CONDITIONS THAT THE BOARD OF APPEALS MAY PRESCRIBE. IN NO CASE SHALL THE RESULTING TOTAL GROSS FLOOR AREA OF THE BUILDING(S) AFTER ALL CONVERSIONS AND ADDITIONS BE MORE THAN 130% OF THE PERMITTED GROSS FLOOR AREA:

1) IN ALL S AND SC DISTRICTS, A SPECIAL PERMIT MAY BE GRANTED FOR AN INCREASE IN FLOOR AREA ABOVE THE PERMITTED GROSS FLOOR AREA FOR ONLY ONE OF THE FOLLOWING SUBPARAGRAPHS (SUCH THAT THE GRANT OF A SPECIAL PERMIT UNDER ONE SUBPARAGRAPH SHALL PRECLUDE THE SUBSEQUENT GRANT OF A SPECIAL PERMIT UNDER A DIFFERENT SUBPARAGRAPH, BUT SHALL NOT, TO ZONING BY-LAW TOWN OF BROOKLINE 5-50 ARTICLE V, DIMENSIONAL REQUIREMENTS THE EXTENT THE INCREASE IN FLOOR AREA ALLOWABLE UNDER ONE SUBPARAGRAPH HAS NOT BEEN FULLY UTILIZED, PRECLUDE A SUBSEQUENT GRANT OF AN ADDITIONAL SPECIAL PERMIT UNDER THAT SAME SUBPARAGRAPH SO AS TO FULLY UTILIZE THE INCREASE IN FLOOR AREA ALLOWABLE UNDER THAT SUBPARAGRAPH. NOTWITHSTANDING THE FOREGOING, AN APPLICANT WHO HAS RECEIVED A SPECIAL PERMIT UNDER SUBPARAGRAPH (A) OR (B) AND HAS NOT FULLY UTILIZED THE ALLOWABLE INCREASE IN FLOOR AREA UNDER THAT SUBPARAGRAPH MAY APPLY FOR A SPECIAL PERMIT UNDER SUBPARAGRAPH (C), WITH THE INCREASED FLOOR AREA PREVIOUSLY ALLOWED UNDER SUBPARAGRAPH (A) OR (B) COUNTED AGAINST THE FLOOR AREA ALLOWABLE UNDER SUBPARAGRAPH (C);

B) AN EXTERIOR ADDITION THAT IS LESS THAN OR EQUAL TO 20% OF THE PERMITTED GROSS FLOOR AREA; OR

3C. IF THE APPLICATION OF THE PERCENTAGES IN PARAGRAPH 2, SUBPARAGRAPH B RESULTS IN A FLOOR AREA INCREASE OF LESS THAN 350 SQUARE FEET, A SPECIAL PERMIT MAY BE GRANTED FOR AN INCREASE IN FLOOR AREA OF UP TO 350 SQUARE FEET PROVIDED THAT THEY RESULTING GROSS FLOOR AREA OF THE BUILDING(S) IS NOT MORE THAN 150% OF THE PERMITTED GROSS FLOOR AREA. THE PRIOR GRANT OF ADDITIONAL GROSS FLOOR AREA AS OF RIGHT OR BY SPECIAL PERMIT UNDER SECTION 5.22 OR ANY PRIOR VERSION OF SECTION 5.22 SHALL PRECLUDE A SUBSEQUENT GRANT OF A SPECIAL PERMIT UNDER THIS PARAGRAPH 3, SUBPARAGRAPH C.

SECTION 5.46 - CORNER LOTS

FOR A CORNER LOT, THE REQUIRED YARD ALONG ANY STREET LOT LINE SHALL BE CALCULATED AS A FRONT YARD, EXCEPT THAT IN S, SC, AND T DISTRICTS WHERE THE REAR LOT LINE OF A CORNER LOT IS ALSO THE REAR LOT LINE OF THE CONTIGUOUS LOT, THE REQUIRED FRONT YARD EXTENDING FROM THE REAR YARD TO THE CORNER SHALL BE 20 PERCENT OF THE WIDTH OF THE LOT MEASURED ALONG THE OTHER FRONT YARD LINE, BUT NEED NOT BE GREATER THAN THE REQUIRED FRONT YARD DEPTH AND SHALL NOT BE LESS THAN THE REQUIRED WIDTH OF A SIDE YARD CALCULATED AS IF THE STREET LOT LINE WERE AN INTERIOR SIDE LOT LINE.

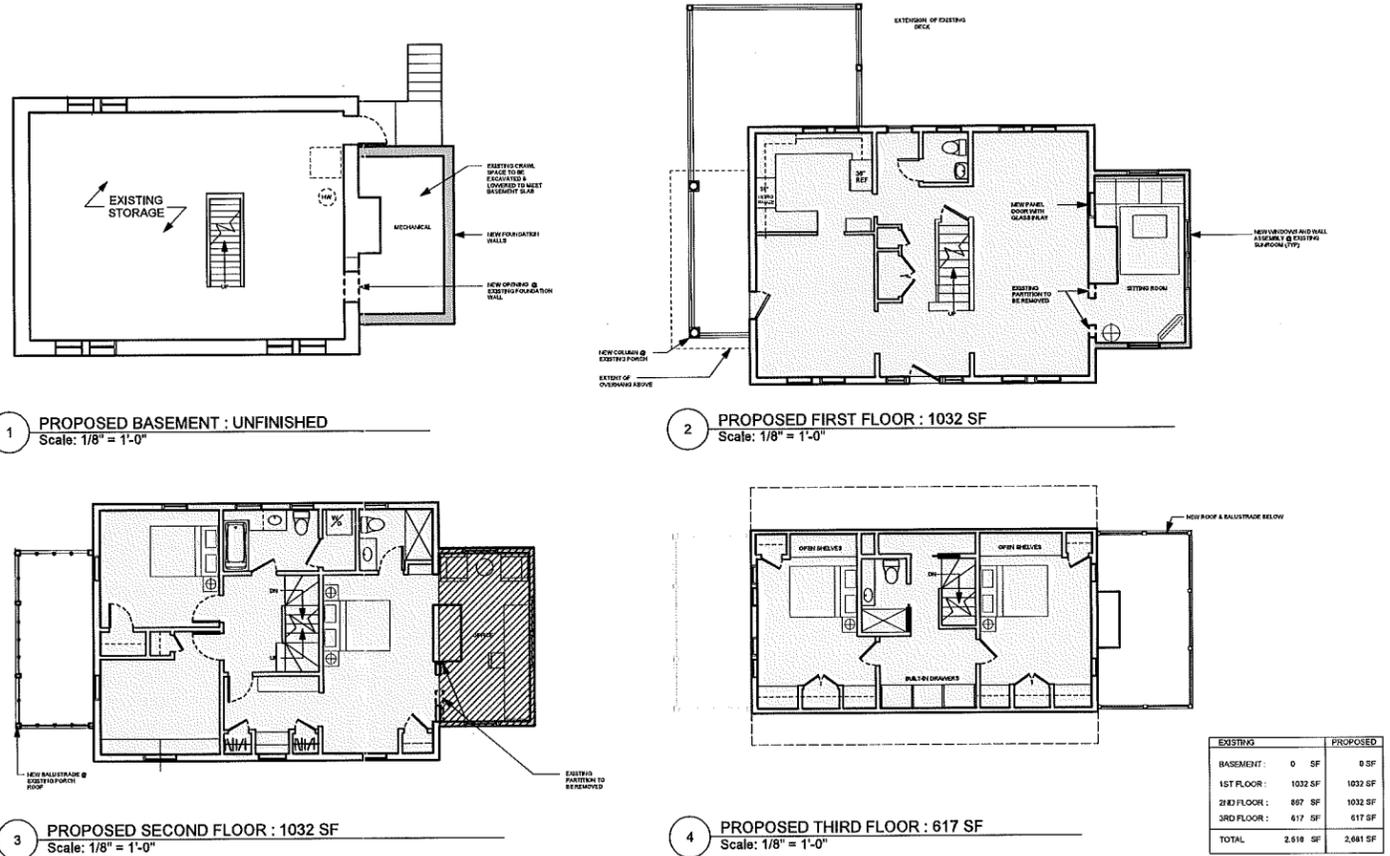
Dwyer Residence
 118 YORK TERRACE
 Brookline, MA 02467

ALL DRAWINGS, SPECIFICATIONS AND ARCHITECTURAL DESIGNS ARE THE PROPERTY OF SOUSA DESIGN ARCHITECTS AND SHALL NOT BE REPRODUCED OR USED ON THIS OR ANY OTHER PROJECT WITHOUT WRITTEN CONSENT FROM THE ARCHITECT.

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS ON SITE PRIOR TO BEGINNING ANY WORK. REPORT ALL DISCREPANCIES IN WRITING TO SOUSA DESIGN ARCHITECTS BEFORE PROCEEDING WITH THE WORK AND SHALL EXCEPT FULL RESPONSIBILITY FOR SAME. DRAWINGS SHALL NOT BE SCALED. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS, AND TO THE SATISFACTION OF THE OWNER AND THE ARCHITECT.

EACH CONTRACTOR SHALL SUBMIT TO SOUSA DESIGN ARCHITECTS FOR APPROVAL: SHOP DRAWINGS, SAMPLES, CUTS OF ALL THE ITEMS OF WORK PRIOR TO THEIR INCLUSION IN THE CONSTRUCTION. ALL ITEMS TO BE INCLUDED SHALL BE APPROVED FOR USE IN THE TOWN OF BROOKLINE AND SHALL HAVE AN ASTM AND UL NUMBER WHEN SUCH ITEMS REQUIRE THIS DESIGNATION. EACH CONTRACTOR SHALL CO-ORDINATE HIS WORK WITH ALL OTHER CONTRACTORS.

THE QUALITY OF WORKMANSHIP AND MATERIALS USED SHALL COMPLY WITH ALL TOWN OF BROOKLINE AND MA STATE BUILDING CODES. DRAWINGS SUBJECT TO APPROVAL BY ALL GOVERNMENTAL AGENCIES HAVING JURISDICTION ALL NEW CONSTRUCTION TO COMPLY WITH APPLICABLE HANDICAPPED ACCESSIBILITY LAWS.



SOUSA design Architects

61 Brighton St., 2nd Floor
 Brookline, MA 02467
 617-878-9190
 www.sousadesign.com



Job # 1532
 Drawn by DMG Ckd by
 Date 11.16.2015

Revisions

ZONING REVIEW
A-0.1

